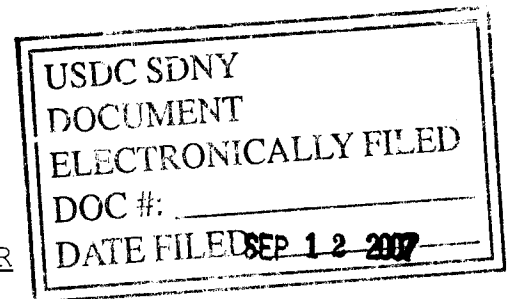


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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:  
UNITED STATES OF AMERICA  
:  
- v. -  
:  
GARY SANTORO,  
:  
Defendant.  
:  
----- x

INDICTMENT  
**07 CRIM 860**  
07 Cr.



COUNTS ONE THROUGH FOUR

The Grand Jury charges:

1. From at least in or about Late 2001, up to and including in or about November 2006, in the Southern District of New York and elsewhere, GARY SANTORO, the defendant, unlawfully, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations and promises, namely a scheme by which SANTORO fraudulently took money to which he was not entitled from his employer, did transmit and cause to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds, for the purpose of executing such scheme and artifice, to wit, on the dates set forth below, SANTORO wrote unauthorized checks payable to himself from his employer's accounts, deposited those checks into SANTORO's personal bank accounts, and transferred the resulting funds through various means, including the electronic

funds transfers described in the table below, to investment accounts in his own name and the names of his family members:

Count	Wire	Amount	Date
1	Wire transfer 808444390250	\$9,000.00	4/27/06
2	Wire transfer 806851490250	\$20,500.00	5/31/06
3	Wire transfer 807106800250	\$15,000.00	7/13/06
4	Wire transfer 806637880250	\$15,000.00	8/15/06

(Title 18, United States Code, Section 1343.)

#### FORFEITURE ALLEGATION

2. As the result of committing the offenses in violation of Title 18, United States Code, Section 1343, as alleged in Counts One through Four of this Indictment, GARY SANTORO, the defendant, shall forfeit to the United States pursuant to 18 U.S.C. § 982(a)(2)(A), any property constituting or derived from proceeds obtained directly or indirectly as a result of the offenses charged in Counts One through Four above.

#### Substitute Asset Provision

3. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;

(4) has been substantially diminished in value;

or

(5) has been commingled with other property which

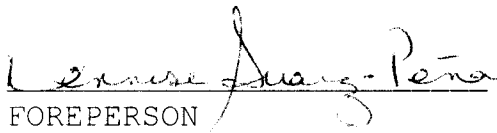
cannot be subdivided without difficulty;

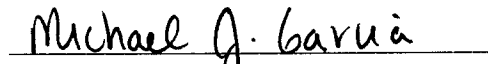
it is the intent of the United States, pursuant to 18 U.S.C.

§ 982(b), to seek forfeiture of any other property of said

defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Sections 982(a)(2)(A) and 1343.)

  
FOREPERSON

  
MICHAEL J. GARCIA  
United States Attorney

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- v. -

GARY SANTORO,

Defendant.

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INDICTMENT

07 Cr.

(18 U.S.C. § 1343)

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MICHAEL J. GARCIA  
United States Attorney.

A TRUE BILL

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*Dennise Suarez-Pena*  
Foreperson.

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*(Dennise Suarez-Pena)*

*Assesed to J. Manu*

*per J. Manu*

*9/12/07*  
*82*